



MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION APRIL 18, 2007

Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Vice-Chair Lenny Levy, Commissioners Matthew Hopkins, and Lloyd Kaufman, City Attorney Cathy Borten, Planning and Code Administration Director Greg Ossont, Community Planning Director Trudy Schwarz, Planners Jacqueline Marsh and Rob Robinson, and Recording Secretary Myriam Gonzalez. Absent: Commissioner Danny Winborne and Alternate Commissioner Geri Lanier.

I. APPROVAL OF MINUTES

March 21 and April 4, 2007, Planning Commission Meetings

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE the Minutes of the March 21, 2007, Planning Commission Meeting, as submitted this evening.
Vote: 3-0-1 (Abstained: Hopkins)

Vice-Chair Levy noted a typographical error in the date of the April 4, 2007, Minutes.

Commissioner Kaufman moved, seconded by Commissioner Hopkins, to APPROVE the Minutes of the April 4, 2007, Planning Commission Meeting, as corrected this evening.
Vote: 4-0

II. SITE PLANS

SP-07-0003 -- Travis Avenue Self Storage Zone Old Game Preserve Road 100,000-Sq.Ft. Warehouse/Office Building FINAL PLAN REVIEW	E-1 Zone
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Planner Robinson located the site on an aerial photograph.

Attorney for the applicant, Jody Kline, Miller, Miller and Canby, noted this project has been the subject of several reviews due to the rezoning of the property, and this plan refines the final details of the proposal.

Engineer for the applicant, Mike Plitt, Macris, Hendricks and Glascock, PA, presented and discussed the proposed plan, including topography, access points, parking, loading area, trash dumpsters, storm water management, forest conservation, landscaping and off-site improvements. Regarding the latter, he noted a public sidewalk along Old Game Preserve Road, the widening of that road to the south along the Pepco easement, and the 200-foot extension of an existing storm drain system on Old Game Preserve Road from its intersection with Arrowsmith Court.

Architect for the applicant, Jack Warner, Butz-Wilbern, presented the elevations and discussed visibility from the road, the four-sided architecture, materials, lighting, and signage. Regarding the latter, he noted the proposal includes one internally-illuminated 140-square foot wall sign on the south elevation and one 170-square foot wall sign on the east elevation, externally illuminated due to the residential area it faces. He added that sign lighting, as well as the lighting for the site, complies with the dark sky regulations.

Mr. Robinson indicated that the application includes a waiver request for both signs because each one exceeds the 100 square feet allowed per façade, noting, however, that the signage is still below the maximum allowed.

The following was testimony from the public:

Barbara Pearson, 1202 Travis View Court, on behalf of the Lakeforest Glen Homeowners Association (HOA), expressed concern with the impact of this project on two adjacent residential communities given their close proximity to this site, noting that this project is inharmonious with the residential neighborhood in terms of visibility, security and road safety. She requested that more trees be planted to buffer the residential community. Mrs. Pearson stated that many more residents would have been here to voice their concerns, were it not for their HOA annual meeting being held this evening.

Josiah Long, 10800 Game Preserve Road, representing Seneca Whetstone HOA, noted that his community had raised several concerns regarding building design and visibility, road safety, street trees, storm drainage, and green building issues during the review process leading to this proposal, which he had not seen addressed with the plan presented this evening.

Development Manager Trey Burke, Travis Avenue Self Storage, discussed the aspects of the proposal that address road safety and maintenance, storm drainage and traffic concerns, as well as the Leadership in Energy & Environmental Design (LEED) strategies of the plan.

Mr. Robinson provided additional site plan information to address questions relating to proposed traffic improvements, site access, and landscaping. He noted that the plan meets the Zoning Ordinance approval criteria, subject to the applicant's compliance with conditions that he listed.

Chair Bauer commented favorably on this proposal and, particularly, on the proposed on/off-site improvements, which had been discussed at length in previous reviews, on the low intensity of the proposed use as a result of the rezoning of the property, and on the design of the plan. However, he had a concern with the sign proposed on the east elevation, questioning the need for it, since it faces roads with light; and, particularly, of the size and height proposed, noting that it seems to address an audience that does not exist.

Commissioners Kaufman and Hopkins spoke in favor of the proposed road improvements and access aspects of the plan, as well as on the applicant's LEED analysis. However, they shared Chair Bauer's comments regarding the sign on the east façade, adding that although lighting would be needed on that side, a smaller sign over the door would suffice. Vice-Chair Levy commented on how much the plan had improved from the original proposal. The Commission agreed to grant the waiver for the south sign, recommended that the applicant work with staff on the signage for the east façade, discussed language to modify Condition 8, and moved as follows:

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to grant SP-07-0003 - Travis Avenue Self Storage Zone, AMENDMENT TO FINAL PLAN APPROVAL, finding it in compliance

with Zoning Ordinance §§ 24-170, 24-172, and 24-212, with the following conditions:

1. Applicant is to execute the Pepco land purchase for additional Old Game Preserve Road right-of-way and improvements and dedicate said portion of road to the City of Gaithersburg by the recordation of final record plats;
2. Applicant is to complete off-site road improvements to the City-maintained portion of Old Game Preserve Road before the issuance of occupancy permits;
3. Applicant is to complete off-site storm water management improvements to the Montgomery County-maintained portion of Old Game Preserve Road before the issuance of occupancy permits;
4. Applicant shall have a photometric plan submitted and approved by the City of Gaithersburg Department of Public Works, Park Maintenance and Engineering (DPWPM&E) prior to the issuance of building permits;
5. Applicant shall obtain final forest conservation plan and landscape plan approval by the City's environmental specialist prior to the issuance of site development permits;
6. Applicant shall obtain final storm water management plan approval by DPWPM&E prior to the issuance of site development permits;
7. Applicant to submit a record (final subdivision) plat to be approved by the Planning Commission and recorded in the land records of Montgomery County prior to the issuance of any building permit; and
8. Planning Commission shall approve the waiver of the required square footage for signage in § 24-212(c)(1) of Zoning Ordinance for the signage on the south elevation as presented on the architectural elevations.

Vote: 4-0

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to grant a WAIVER of the required square footage for signage in Zoning Ordinance § 24-212(c)(1) for the sign on the south elevation as presented on the architectural elevation for SP-07-0003.

Vote: 4-0

AFP-06-056 -- Rachel Carson Elementary School
100 Tschiffely Square Road
Driveway Changes
AMENDMENT TO FINAL PLAN REVIEW

MXD Zone

Planner Marsh located the property on an aerial photograph and reported that a letter from the Kentlands Community Architect's Office (CAO) with recommendations for plan revisions (Exhibit 12) had been furnished to the Commission this evening.

Division of Construction Director James Song, Montgomery County Public Schools (MCPS), presented the proposed plan for driveway and parking lot modifications, noting they would improve on-site traffic circulation and safety and traffic flow on Kent Oaks Way. He discussed the proposed changes to the driveway entrances and the revisions needed to accommodate those changes, which includes the relocation of parking from the front to the southeast side of the site and addition of landscaping. He added that the existing chain-link fencing near the mechanical equipment would remain with added landscaping. Regarding the latter and in response to Commissioner Hopkins' inquiry on using wrought iron fencing instead, Mr. Song indicated the existing fencing provides security and buffer with the plantings to be added and that wrought-iron fencing is used when what they are trying to buffer is in proximity to the streetscape.

Ms. Marsh listed staff's recommended conditions, as the plan meets the Zoning Ordinance site plan approval criteria.

Chair Bauer thanked the Kentlands CAO for their recommendations and commented on their suggestions, although the late submittal left little time for review. He noted that as part of their recommendations, the asphalt addition and green space removal would be excessive, without much improvement in the internal circulation. Commissioner Hopkins agreed, adding that the suggested measures would be an environmental waste and an unnecessary expense.

Regarding fencing, Commissioner Kaufman suggested a combination of brick pediment wall with wrought iron fencing to secure the mechanical equipment in an attractive manner. Commissioner Hopkins called for good screening of the mechanical unit and loading dock area, since they face a thoroughfare. Chair Bauer agreed and further recommended to increase the existing landscaping along Tschiffely Square Road to better screen the new parking area and for the mechanical equipment as well. Commissioner Hopkins also recommended plantings in a symmetrical design along the new driveway entrance to the parking area.

Commissioner Kaufman moved, seconded by Vice-Chair Levy, to grant AFP-06-056 - Rachel Carson Elementary School, AMENDMENT TO FINAL PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-172, with the following conditions:

1. Applicant shall receive approval of the final landscape plan by staff before the issuance of any permits;
2. Applicant shall receive approval of the final signing and striping plan and erosion and sediment control plan by DPWPM&E before the issuance of any permits; and
3. Applicant shall work with staff to effectively screen the equipment located near the proposed parking spaces on the east side of the school.

Vote: 4-0

SP-07-001 -- Asbury Methodist Village
(Villas North)
201 Russell Avenue
43 Single-Family Attached Duplex Units
CONCEPT/PRELIMINARY PLAN REVIEW

R-90 Zone

Community Planning Director Schwarz located the site and introduced the applicant.

Architects for the applicant, Jeremy Lake and Mark Bombaugh, Torti Gallas and Partners, Inc., presented this plan which creates a new neighborhood of four units/acre within the Asbury property. Mr. Lake discussed street frontages, street trees, sidewalk, parking, rear alleys, fencing, and open spaces. Mr. Bombaugh presented the elevations and discussed architectural features and materials for the proposed duplexes and one single-family house.

Community Planning Director Schwarz stated the plan meets the conceptual and preliminary plan criteria of the Zoning Ordinance, listed staff's recommended conditions for approval, and answered questions of Chair Bauer regarding storm water management.

Commissioner Hopkins inquired about energy conservation and water quality planned for this project. Mr. Lake noted that this aspect of the project is still under consideration. Commissioner Hopkins voiced a concern about insufficient information being submitted regarding the applicant's measures to address water quality and energy usage, and asked that at the next plan review, these measures be outlined for the Commission and that the LEED checklist be updated. Commissioner Kaufman shared Commissioner Hopkins' concern. Chair Bauer also agreed with the recommendation on the sustainability aspect of the plan and commented favorably on this project in terms of its low impact on the area.

Commissioner Kaufman moved, seconded by Vice-Chair Levy, to grant SP-07-001 - Asbury Methodist Village, CONCEPT/PRELIMINARY PLAN APPROVAL, finding it in preliminary compliance with Zoning Ordinance § 24-170, with the following conditions:

1. Applicant is to receive approval of the environmental waivers by the Mayor and City Council prior to final site plan approval;
2. Applicant is to provide temporary stabilization of the stream channel parallel to the upstream dam prior to final occupancy of the first unit;
3. Applicant is to work with the City to develop a concept plan for stabilization of total stream within the Asbury property and phasing time table and agreement for its implementation prior to the release of bonds for this project;
4. Applicant is to provide street tree planting along Odend'hal Avenue Extended to Goshen Road;
5. At the time of final site plan, the applicant shall provide a tree protection plan for the trees within the subject area along Asbury Drive, where a sidewalk is to be installed;

6. Applicant is to adjust lot lines to match existing parcel lines;
and
7. Applicant is to provide two additional fire hydrants for
adequate fire safety at the time of final site plan approval.

Vote: 4-0

SP-07-0002 -- Camson Property
13 Park Avenue
9,000-Sq.Ft. 3-Story Office Building
FINAL PLAN REVIEW

CBD Zone

Planner Marsh located the site and noted the Commission approved the concept plan in January 2007.

Engineer for the applicant, Paul Newman, Macris, Hendricks and Glascock, presented and discussed the plan, noting an existing structure for which a demolition permit has been issued, the proposed building adjacent to a public alley to be widened to 19 feet wide after construction of a retaining wall, and parking. Regarding the latter, he indicated that a parking waiver request of four spaces is included with this application and briefly discussed the basis for the request.

Architect for the applicant, Peter Cheung, presented the proposed elevations noting a brick structure with a residential appearance, and roofing in accordance with recommendations of the Historic Preservation Advisory Committee.

There was no testimony from the public.

Ms. Marsh voiced staff's recommendation for approval, noting the plan meets the approval criteria of the Zoning Ordinance, subject to the applicant's compliance with conditions that she listed.

Chair Bauer inquired about lighting of the alley, called for the retaining wall to be as unobtrusive as possible, with plantings if possible, and voiced no objections to the parking waiver. Commissioner Hopkins favored the proposed architecture and on-street parking, adding that the latter can be planned as a public amenity without time restrictions, and shared the concern over the retaining wall. In response to Commissioner Kaufman, Ms. Marsh noted that no bollards are proposed at the end of the public portion of the alley, adding that DPWPM&E would be responsible for its maintenance.

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to grant SP-07-0002 - Camson Property, FINAL PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-171, with the following conditions:

1. Applicant is to receive final approval of the photometric plan, including the light type and height, from the Department of Public Works, Park Maintenance, and Engineering prior to the issuance of any permits;
2. Applicant is to receive final approval of the final forest conservation plan from the Division of Environmental Affairs prior to the issuance of any permits;

3. Applicant shall keep trash/refuse out of public view until scheduled pickup; and
4. Planning Commission shall grant a four-space parking waiver for on-site parking.

Vote: 4-0

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to grant a WAIVER of four parking spaces for SP-07-0002.

Vote: 4-0

III. FROM THE COMMISSION

Vice-Chair Levy

Reported receiving appreciative comments from a resident of the former West Deer Park Apartments regarding the Planning Commission's role in the relocation and planning of the apartment complex redevelopment project.

IV. FROM STAFF

Community Planning Director Schwarz

Announced a joint work session on the indoor aquatic center project is scheduled for April 30. She noted the East Diamond Archstone project will be the subject of a City Council work session on April 23.

Planning and Code Administration Director Ossont

Introduced new Planning Director Lauren Pruss.

V. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 9:30 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary